

selves is this: Shall we *follow* in the groove of the traditional techniques, or shall we *use* them to our own advantage?

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"THE GOOD SOCIETY" — *Walter Lippman. Little, Brown and Company, Boston, 1937. \$3.00*

The Good Society, by Walter Lippman, represents the struggle of a mature mind striving to maintain its faith in the American ideal of individualism in the face of the bewildering complexity of political philosophies that obtain in the civilized governments of the world. It is emphatically not a defense of *laissez faire*. On the contrary the writer demands a total revision of our concept of the rights and duties long considered immutable that form the foundation for that doctrine. Far from being a vindication of the present system, it is a plea for a recognition of, and a return to, the philosophy of government on which, so the author contends, a successful political system must rest to function successfully in an exchange economy. That philosophy he styles "liberalism".

The work divides itself into two parts, each being comprised of two sections. The first part is an analytical examination of the theory and practice of the collectivist governments existing in foreign states and, in a modified form, in this country. Mr. Lippman is insistent that a collectivist state cannot function successfully unless there be a fixed and certain goal toward which the energies of the people and the government can be directed. That goal cannot be the economic and social betterment of the state. No mortal man or group of men is endowed with the vastness of intelligence and the ubiquitousness of understanding to be able to determine and correlate the needs and desires of an organism with the diversity of demands that exist in society. There is but one end that possesses the requisite certainty to be capable of planning by men. That is war. It is a comparatively easy task for a government to determine the amount of shoes, clothing, guns, ammunition and the like necessary to carry on an international conflict. It is also a relatively simple matter to persuade a people to conform to a prescribed plan when the tempting baits of economic gains and appeasement of deep seated hatreds are dangled before their collective eyes.

With this as a premise the writer asserts that the collectivist governments of Europe are utilizing a policy of war preparation to remain in their position of dominance over the inhabitants of the various states. He contends that the Fascist and the Communist states are but different

types of collectivist governments, differing only in their abstract theoretical basis, each necessary to the existence of the other in that each utilizes the other as a focal point for war preparations, either offensive or defensive.

With this as one form of political development, the question is posed: is the only other alternative a system of *laissez faire* in which the cupidity of men may run rampant over their fellows? Lippman contends that the logical path of development of society assumes a form totally different from collectivism or uncontrolled *laissez faire*.

He envisions an economic order dissimilar from any we have known. The argument is predicated upon the accepted fact that we exist in an exchange economy — one in which the welfare of all is best served by a high degree of specialization in industry and a free exchange of goods and services. Any form of interference with the free flow of goods and services necessarily disrupts the operation of the economic structure with a consequent impairment of its efficiency. Thus the purpose of government should be to protect the operation of the law of supply and demand from any practices or institutions that might have a subversive effect upon it. At the same time it is incumbent upon government to refrain from exercising any restraints upon the operation of the system.

This does not mean that government cannot exert control over economic conditions and practices. On the contrary strict measures must be taken to prevent interference with the working of the system by individuals occupying a dominant position in the scheme of the economy. The method of control assumes the form of a complete redefinition of our concepts of rights and duties. A partial agenda of suggested reforms includes a managed monetary system; drastic revision of corporate privileges to the end that bigness can be attained only through superior producing and distributing ability and not by the ingenious manipulation of the law governing corporations; increasing the mobility of capital to a degree that it will compensate for the lack of necessary mobility of labor; and protection of natural resources.

There are, however, numerous matters that must be directed by governmental action. This class is comprised of projects of great public interest but of such a nature that they would prove unprofitable for individual enterprise. Aside from this the general policy of government must be to define rights and leave their enforcement to individuals. Therein lies Lippman's basic philosophy. Government should be essentially judicial in nature, not administrative. The lawmakers must assume a judicial attitude toward legislation and define rights with regard to the social welfare of all concerned — not on the basis of

archaic notions of property. The courts must provide the forum for the enforcement of these rights.

While the analysis of our modern society and of the functioning of collectivism presented by the work is admirable, the book can never be used as a textbook for a new social order. It is a strong criticism of existing and proposed economic systems but the suggested solution for the problems confronting society is such that the reader is not furnished with a unified concrete plan for the development of a finer and more stable political system. Perhaps it should not be criticized on that score since it was not presented as an outline of an Utopia. The book is well written, interesting, and the result of a great deal of research and thought. Despite the fact that it will never rank with "Das Kapital" and "Wealth of Nations", "The Good Society" is a distinct contribution to political philosophy.

GEORGE E. BAILEY

"HOW LAWYERS THINK" — *Clarence Morris. Harvard University Press, Cambridge, 1937. \$3.50*

Philosophers have evolved as many theories and definitions of law as there are authors who have written on the subject and these are legion. Regardless of what their conclusions have been, fundamentally the practice of law is based on logic. It is a rational process. No matter what problem is confronting the lawyer, he works with general rules and attempts to correlate facts under them. From the time he knows his facts until the final decision has been given in the Supreme Court, the lawyer, knowingly or not, is dealing in the field of logic. To briefly describe the methods of logic and how they may be applied by the lawyer and the law student is the purpose of Clarence Morris in writing this little volume.

This is no abstract philosophical treatise. It brings out methods of solving and simplifying difficulties. These, when one reads them, sound absurdly simple, but all too often they are forgotten when groping with knotty problems and the solution is stumbled upon only by chance. The author does not recommend or even suggest that one attempt to do all of his thinking in formal syllogistic manner. The chief value of a knowledge of logic, he points out, is to be able to check your thinking and discover unnoticed fallacies which may be pounced upon gleefully by your opponent if let pass. Then too, it is useful in that often it will suggest a different point of view from which to look at a problem which refuses to submit to your normal ratiocination.